

Randy S. Ludlow, Utah Bar No. 2011
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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,)	
)	MEMORANDUM DECISION AND
Plaintiff,)	ORDER GRANTING DEFENDANTS'
)	MOTION TO CONTINUE
v.)	MOTION CUT-OFF DATE
)	EXCLUDING TIME AND SETTING
SAMI R. HARB,)	STATUS CONFERENCE
)	
Defendant.)	
)	Case No. 2:07-CR-426 TS
)	
)	Judge Ted Stewart
)	
)	

Defendant Sami Harb moves to continue the Motion Cut-off Date. Defendant Michael Harb agrees. The Court has reviewed said motion and finds that there is a need to have the Motion Cut-off Date continued due to Defendants' need to obtain the substantial amount of discovery materials that are not currently in the possession of the United States Attorney for the District of Utah. The nature of those materials, which include computer hard-drives, means that at least 120 days will be required to obtain and review the materials and to determine if motions should be filed. Counsel for the

government and for both Defendants agree that 120-day period is required for adequate discovery in this case and that the Motion deadline and trial deadline should be reset. The Court finds that to deny the Motion would deny counsel for both Defendants and for the government adequate time to prepare for trial, taking into account due diligence. The Court further finds that the ends of justice served by such continuance outweighs the interests of the Defendants and the public in a speedy trial. It is therefore

ORDERED that Defendant's Motion to Continue Motion Cut-off Date (Docket No. 42) is GRANTED. It is further

ORDERED that the time from filing the Motion through the date of the new trial to be set at the scheduling conference is excluded from the Speedy Trial Act calculation. It is further

ORDERED that the Motion Cut-off Date is continued for 120 days. It is further

ORDERED that at the status conference already set for June 10, 2008 at 10:00 a.m., counsel shall be prepared with their calendars to set new dates for motion filing, responses, and future hearing and trial dates.

DATED this 26th day of March, 2008.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J. Stewart", is written over a horizontal line.

JUDGE TED STEWART